



**Service of Process
Transmittal**

06/14/2017

CT Log Number 531401860

TO: Kim Lundy Service of Process, Legal Support Supervisor
Wal-Mart Stores, Inc.
702 SW 8th St, MS#0215
Bentonville, AR 72716-6209

RE: Process Served in Tennessee

FOR: Wal-Mart Stores, Inc. (Domestic State: DE)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Moore Tampla and Johnny Moore, Sr vs. Wal-Mart Stores, Inc. and Wal-Mart Stores East, LP, Dfts.

DOCUMENT(S) SERVED: Summons, Return, Attachment(s), Complaint

COURT/AGENCY: Memphis County Circuit Court - Thirtieth Judicial District, TN
Case # CT00237017

NATURE OF ACTION: Personal Injury - Failure to Maintain Premises in a Safe Condition - 06/11/2016 - 8400 Highway 64, Barlett, TN

ON WHOM PROCESS WAS SERVED: C T Corporation System, Knoxville, TN

DATE AND HOUR OF SERVICE: By Process Server on 06/14/2017 at 13:15

JURISDICTION SERVED : Tennessee

APPEARANCE OR ANSWER DUE: Within 30 days after service, not including the day of service

ATTORNEY(S) / SENDER(S): Bobby F. Martin, Jr.
Morgan & Morgan Memphis, LLC
One Commerce Square, Suite 2600
Memphis, TN 38103
901-333-1849

ACTION ITEMS: CT has retained the current log, Retain Date: 06/14/2017, Expected Purge Date: 06/19/2017

Image SOP

Email Notification, Kim Lundy Service of Process ctlawsuits@walmartlegal.com

SIGNED: C T Corporation System
ADDRESS: 800 S. Gay Street
Suite 2021
Knoxville, TN 37929-9710
TELEPHONE: 312-345-4336

(CIRCUIT/CHANCERY) COURT OF TENNESSEE
140 ADAMS AVENUE, MEMPHIS, TENNESSEE 38103
FOR THE THIRTIETH JUDICIAL DISTRICT AT MEMPHIS

ELECTRONICALLY FILED
2017 May 31 PM 5:08
CLERK OF COURT - CIRCUIT

SUMMONS IN CIVIL ACTION

Docket No. CT-002370-17

☒ Lawsuit
☐ Divorce

Ad Damnum \$ _____

TAMPLA MOORE AND
JOHNNY MOORE, SR.

VS

WAL-MART STORES, INC. AND
WAL-MART STORES EAST, L.P.

Plaintiff(s)

Defendant(s)

TO: (Name and Address of Defendant (One defendant per summons))

WAL-MART STORES, INC.
SERVE VIA REGISTERED AGENT: CT CORPORATION SYSTEM
800 S. GAY STREET
STE. 2021
KNOXVILLE, TN 37929-9710

Method of Service:

- ☐ Certified Mail
☐ Shelby County Sheriff
☐ Commissioner of Insurance (\$)
☐ Secretary of State (\$)
☐ Other TN County Sheriff (\$)
☒ Private Process Server
☐ Other

(\$ Attach Required Fees

You are hereby summoned and required to defend a civil action by filing your answer with the Clerk of the Court and

serving a copy of your answer to the Complaint on Bobby F. Martin, Jr.

Plaintiff's

attorney, whose address is One Commerce Square, Suite 2600, Memphis, TN 38103

telephone 901-333-1849

within THIRTY (30) DAYS after this summons has been served upon you, not including the day of service. If you fail to do so, a judgment by default may be taken against you for the relief demanded in the Complaint.

JIMMY MOORE, Clerk / DONNA RUSSELL, Clerk and Master

TESTED AND ISSUED _____

By _____

D.C.

TO THE DEFENDANT:

NOTICE: Pursuant to Chapter 919 of the Public Acts of 1980, you are hereby given the following notice: Tennessee law provides a ten thousand dollar (\$10,000) personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the Clerk of the Court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed. These include items of necessary wearing apparel (clothing) for yourself and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible and school books. Should any of these items be seized, you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer.

FOR AMERICANS WITH DISABILITIES ACT (ADA) ASSISTANCE ONLY, CALL (901) 222-2341

I, JIMMY MOORE / DONNA RUSSELL, Clerk of the Court, Shelby County, Tennessee, certify this to be a true and accurate copy as filed this

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JIMMY MOORE, Clerk / DONNA RUSSELL, Clerk and Master

By: _____, D.C.

RETURN OF SERVICE OF SUMMONS

I HEREBY CERTIFY THAT I HAVE SERVED THE WITHIN SUMMONS:

By delivering on the _____ day of _____, 20____ at _____ M. a copy of the summons
and a copy of the Complaint to the following Defendant _____

at _____

Signature of person accepting service _____

By: _____
Sheriff or other authorized person to serve process

RETURN OF NON-SERVICE OF SUMMONS

I HEREBY CERTIFY THAT I HAVE NOT SERVED THE WITHIN SUMMONS:

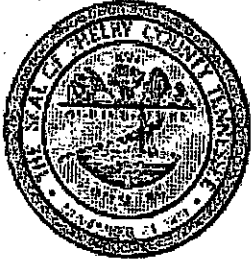
To the named Defendant _____

because _____ is (are) not to be found in this County after diligent search and inquiry for the following

reason(s): _____

This _____ day of _____, 20____

By: _____
Sheriff or other authorized person to serve process



The Shelby County, Tennessee Circuit Court

Case Style: TAMPLA MOORE VS WALMART STORES INC

Case Number: CT-002370-17

Type: SUMMONS ISSD TO MISC

A circular official seal is positioned to the left of a handwritten signature in black ink. The signature appears to read "S. Carter".

Ms Sheri C Carter, DC

Electronically signed on 06/01/2017 07:52:10 AM

**IN THE CIRCUIT COURT OF TENNESSEE
FOR THE THIRTIETH JUDICIAL DISTRICT AT MEMPHIS**

**TAMPLA MOORE AND
JOHNNY MOORE, SR.,**

Plaintiff,

v.

**WAL-MART STORES, INC. and
WAL-MART STORES EAST, LP,**

Defendants.

Docket No.

Jury Demanded

CT-002370-17

COMPLAINT FOR DAMAGES

Plaintiff, **TAMPLA MOORE AND JOHNNY MOORE, SR.**, by and through counsel,
hereby sues the Defendants **WAL-MART STORES, INC. and WAL-MART STORES EAST, LP**, for
compensatory damages and in support thereof would show the Court as follows:

PARTIES

1. The Plaintiff, Tampla Moore, is an adult resident and citizen of Memphis, Shelby County, Tennessee.
2. Plaintiff, Johnny Moore, Sr., respectfully alleges that he is an adult resident citizen of Memphis, Shelby County, Tennessee.
3. The Defendant, Wal-Mart Stores, Inc., is a for-profit corporation licensed to do business in Tennessee, including at a facility doing business as "Bartlett Walmart Supercenter" at 8400 Highway 64, Bartlett, Tennessee.
4. The Defendant, Wal-Mart Stores, Inc., can be served with process through its registered agent, CT Corporation System, 800 S. Gay St., Ste. 2021, Knoxville, TN 37929-9710.

5. The Defendant, Wal-Mart Stores East, LP, is a foreign limited partnership licensed to do business in Tennessee, including at a facility doing business as "Bartlett Walmart Supercenter" at 8400 Highway 64, Bartlett, Tennessee.

6. The Defendant, Wal-Mart Stores East, LP, can be served with process through its registered agent, CT Corporation System, 800 S. Gay St., Ste. 2021, Knoxville, TN 37929-9710.

JURISDICTION AND VENUE

7. All events which form the basis of this Complaint for Damages occurred in Bartlett, Shelby County, Tennessee.

8. Pursuant to TENN. CODE ANN. § 20-4-101, venue is properly situated in Shelby County.

9. This Court has jurisdiction over the parties, and this Court has jurisdiction over the subject matter involved in this case pursuant to TENN. CODE ANN. § 16-10-101.

10. The Plaintiff, Tampla Moore, is asserting a general negligence claim against the Defendants arising out of their creation of a dangerous condition on the premises, and failure to warn against dangerous conditions that existed.

FACTS

11. At all times pertinent to this Complaint, the Defendant, Wal-Mart Stores, Inc., owned and operated a business known as Memphis Walmart Supercenter located at 8400 Highway 64, Bartlett, Tennessee, herein referred to as the "subject location".

12. At all times pertinent to this Complaint, the Defendant, Wal-Mart Stores East, LP, owned and operated a business known as Memphis Walmart Supercenter located at 8400 Highway 64, Bartlett, Tennessee, herein referred to as the "subject location".

13. On or about June 11, 2016, the Plaintiff, Tampla Moore, was shopping at the subject location, and was a patron and business invitee of the Defendants.

14. The Plaintiff, Tampla Moore, unknowingly came upon a slippery substance that existed on the floor/aisle, causing her to slip and fall onto the ground, severely injuring herself.

15. The floor was very slick due to wet substance that had spilled in the aisle.

16. There were no warning signs, cones, mats or other warning devices present in the area of the incident; the Defendants failed to otherwise provide any warnings of the dangerous condition.

17. The floor was un-maintained, allowing a slippery condition to exist that was not promptly and properly cleaned.

18. The Defendants, individually and jointly, owed a general duty of due care to their patrons and/or business invitees to maintain their property in a reasonably safe condition and to remove any dangerous condition on the premises of which they were aware or should have been aware through the exercise of reasonable diligence.

19. The Defendants, individually and jointly, owed a general duty of due care to their patrons and/or business invitees to warn patrons and/or business invitees of any dangerous condition on the premises of which they were aware or should have been aware through the exercise of reasonable diligence.

CAUSES OF ACTION

COMMON LAW NEGLIGENCE

20. The Plaintiff, Tampla Moore, repeats the allegations contained in paragraphs 1-19 as though set forth verbatim herein.

21. Upon information and belief, the Defendants, individually and jointly, through the actions of their employees and/or agents, were negligent in failing to warn patrons and/or business invitees of the dangerous condition that existed in their store.

22. Upon information and belief, the Defendants, individually and jointly, through the actions of their employees and/or agents were negligent in failing to take steps to prevent patrons and/or business invitees from slipping and/or falling on the dangerous condition that existed in their store.

23. As a proximate result of the negligence of the Defendants, individually and jointly, the Plaintiff, Tampla Moore, has sustained physical injuries and endured pain, suffering, and trauma.

DAMAGES

24. The Plaintiff, Tampla Moore, repeats the allegations contained in paragraphs 1-23 as though set forth verbatim.

25. As a direct and proximate result of the negligence of the Defendants, individually and jointly, the Plaintiff, Tampla Moore, was caused to suffer the following injuries and damages:

- (a) Medical expenses, both past and future;
- (b) Physical pain and suffering, both past and future;
- (c) Mental anguish;
- (d) Impairment of the ability to enjoy the normal pleasures of life; and
- (e) Inconvenience.

26. As a direct and proximate cause of the negligence of the Defendants, the Plaintiff, Tampla Moore, is entitled to recover damages including, but not necessarily limited to, the

reasonable value of medical care, services, and supplies reasonably required and actually given in the treatment of the Plaintiff, as well as, other damages allowed by law.

27. Johnny Moore, Sr., as the lawful husband of Tampla Moore, alleges that as a direct and proximate result of the acts of gross negligence, malice, reckless disregard for the safety of others, willful and wanton conduct, and negligence of Defendants and the resulting collision, he sustained the loss of his wife's love, affection, and society and, therefore, sues Defendants for loss of consortium.

RELIEF SOUGHT

WHEREFORE, premises considered, the Plaintiffs, Tampla Moore and Johnny Moore, Sr., respectfully prays:

1. That a jury be empaneled to try this matter;
2. That the Plaintiffs, Tampla Moore and Johnny Moore, Sr., be awarded compensatory damages in the amount of Two Hundred and Fifty Thousand and no/100 Dollars (\$250,000.00); and
3. That the Court award such further relief as it may deem just and equitable.

Respectfully submitted,



Bobby F. Martin, Jr., Esq. (TN #19488)
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Memphis, Tennessee 38103
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FAX: (901) 524-1767
EMAIL: bmartin@forthepeople.com
Attorney for the Plaintiffs